REMARKS

Claims 16-28 are pending in the subject application: claims 1-4, 6-11, 13, and 14 have been examined and stand rejected. By the above amendments, claims 1-15 have been canceled and new claims 16-28 have been added. Favorable reconsideration of the application and allowance of all of the pending claims are respectfully requested in view of the above amendments and the following remarks.

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2004/0250273 to Swix in view of U.S. Patent No. 6,588,017 to Calderone. Further, claims 2-4, 6-11, 13, and 14 stand rejected over Swix, Calderone, and U.S. Patent No. 7,130,576 to Gurantz. These rejections are rendered moot by cancellation of claims 1-4, 6-11, 13, and 14. Applicant respectfully submits that new claims 16-28 are patentable over these documents for the following reasons.

New independent claim 16 sets forth a networked system comprising a switch and first and second receiving devices. The switch is configured to receive multimedia signals originating from a remote source. The first receiving device is configured to control the switch to selectively receive at least a portion of the multimedia signals from the switch. The first receiving device is further configured to process received multimedia signals to generate output signals for presentation on a first local device. According to claim 16, a storage device is included in the first receiving device and is configured to selectively store multimedia signals received from the switch. The first receiving device is capable of supplying stored multimedia signals to the switch in response to a control signal received from the switch. The second receiving device is configured to control the switch to selectively receive via the switch at least a portion of the multimedia signals originating from the remote source and to selectively receive via the switch at least a portion of the stored multimedia signals from the first receiving device. The second receiving device is further configured to process received multimedia signals to generate output signals for presentation on a second local device.

As can be appreciated from the embodiment shown in Fig. 3, for example, claim 16 essentially relates to a system in which a switch selectively routes remotely-transmitted signals

to a number of different receiving devices, such as DHCTs or "set-top boxes" in a local network.
One of the receiving devices can store multimedia content from a remotely-transmitted signal.
This multimedia content can be accessed by the other receiving devices via the switch. In
particular, as recited in claim 16, a second receiving device is configured to control the switch to
selectively receive via the switch at least a portion of the stored multimedia signals from the first
receiving device. Such a scheme allows multiple set-top boxes to access content stored in one
set-top box without requiring each set-top box to contain the hardware to record and store
content. While the scope and wording of independent claims 23 and 26 differ from those of
claim 16, claims 23 and 26 also relate to this scheme; thus, the following points also apply to
these claims.

While Swix recognizes the problem of having enhanced capabilities in each set-top box
in a home (see, e.g., paragraph [0006]), Swix proposes a solution very different from that of the
claimed invention. In particular, as shown in Fig. 1, Swix envisions a broadband multimedia
gateway (BMG) 100 that operates as both a multimedia gateway and as a content server within a
client/server architecture. This BMG 100 includes inputs from various multimedia sources, a
tuner/demodulator 102, a mass storage device 103, and data switch 101 that couples the tuner
and mass storage device to the set-top boxes. None of Swix's set-top boxes includes a storage
device. In fact, as explained in paragraph [0023] of Swix:

> "Because the enhanced functionality resides in the central BMG as opposed to the
> peripheral thick-client digital STBs, a broad range of functionality, including
> record/store/playback of broadcast programs, video/audio on demand, interactive
> TV, Web surfing, e-mail and electronic shopping, is accessible from every thin-
> client digital STB in the home." [emphasis added]

Paragraph [0034] of Swix further clarifies:

> "Centralized functionality of the BMG and use of Ethernet interfaces within a
> thin-client digital STB that can reduce the complexity and cost of digital STBs."

Thus, Swix's aim is to provide a server/client architecture in which the functions of recording,
storage, and playback of broadcast programs reside in a centralized gateway/server such that all

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of the set-top boxes can have a simple and inexpensive design. Moreover, the above-reproduced passages unambiguously teach away from locating the recording, storage, and playback functions in one of the set-top boxes. The point of Swix's system is to centralize recording and storage of programs and to avoid having this functionality within one of the client set-top boxes.

Swix's architecture is diametrically opposed to the requirements of claims 16, 23, and 26. For example, the first receiving device of claim 16 includes a storage device that stores multimedia signals received from the switch, and the second receiving device of claim 16 receives via the switch the stored multimedia signals from the first receiving device. In other words, rather than storing content in a centralized device, content is stored in one of the receiving devices and is routed back through the switch to other receiving devices when requested. This is the exact opposite of the arrangement described by Swix and precisely the arrangement that Swix's architecture attempts to avoid (i.e., storing program content in one of the set-top boxes instead of centrally).

Given that the concept behind Swix's architecture is to avoid recording, storage, and playback of program content from one of the set-top boxes by centralizing such functions, it could not have been obvious from anything described in Calderone or Gurantz to nevertheless modify Swix by moving these functions to one of the set-top boxes to meet the requirements of Applicant's claims. Swix's direct teaching away from this arrangement militates against such a modification.

Moreover, the scheme described in Calderone is, like Swix, very different from what is claimed. Calderone essentially describes a system with a master set-top box and a slave set-top box, in which the master set-top box receives and processes all incoming signals and supplies processed signals to the slave set-top box (see Fig. 1). This approach is in sharp contrast with Applicant's claims. For example, Calderone's system does not include anything analogous to Applicant's claimed switch, which selectively routes signals received from a remote source to the first and second receiving devices. In particular, the second receiving device of claim 16 (which the Examiner presumably equates with Calderone's slave set-top box) is configured to control the switch to selectively receive via the switch at least a portion of the multimedia signals

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originating from the remote source. This is not possible in Calderone's master-slave system, since the slave set-top box does not receive any content that is not processed by the master set-top box.

Furthermore, there is no apparent manner in which one could combine the teachings of Swix and Calderone, much less in a particular manner which arrives at the system and method claimed by Applicant. Swix contemplates a server-client scheme in which advanced functions such as recording, storage, and playback of programs are centralized in the server, whereas Calderone relates to a master-slave architecture in which there is no centralized hardware or functionality at all. These approaches are on opposite ends of the spectrum. The Examiner appears to argue in effect that it would have been obvious to move Swix's centralized storage device into one of the client set-top boxes to allow the set-top box to operate as a stand-alone unit. However, such a modification runs contrary to the express teaching in Swix of centralizing such functionality in a multimedia gateway "as opposed to" a set-top box in order to reduce the complexity and cost of the set-top boxes (see paragraphs [0023] and [0034]). If Swix teaches anything, it is that such functionality is to be centralized rather than placed in one of the set-top boxes. To ignore this teaching is to ignore the main point of Swix's invention.

Gurantz is merely relied upon for a teaching of certain modulation schemes and in any event does not disclose or suggest the requirements of Applicant's independent claims described above. Consequently, the subject matter of new claims 16-28 would not have been obvious from Swix, Calderone, and Gurantz taken singly or in any combination. Accordingly, the Examiner is respectfully requested to find new claims 16-28 allowable.

In view of the foregoing, Applicant respectfully requests the Examiner to find the application to be in condition for allowance with claims 16-28. However, if for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to call the undersigned attorney to discuss any unresolved issues and to expedite the disposition of the application.

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Filed concurrently herewith is a Petition (with payment) for an Extension of Time of One Month and a Request for Continued Examination. Applicant hereby petitions for any extension of time that may be necessary to maintain the pendency of this application. The Commissioner is hereby authorized to charge payment of any additional fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

Dated: July 21, 2008   Respectfully submitted by:

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